

## Phosphates Management Strategy

### Position Statement October 2021

The five Somerset Local Planning Authorities jointly appointed Royal HaskoningDHV in March 2021 to develop a Phosphates Management Strategy to enable future development to take place within the catchment of the Somerset Levels and Moors Ramsar Site. The intention to commission consultants to prepare the strategy was reported to the SSDC District Executive on Thursday 4th February 2021<sup>1</sup>.

The strategy includes a number of elements:

Description	Project Timeline
<p><b>Confirmation of the area of risk:</b> A review Natural England’s initial map, pulling together information from a range of organisations including Wessex Water, the Environment Agency, the Internal Drainage Board, and LPA’s to refine the “area at risk” in terms of where new development may impact on the phosphorus levels of the Ramsar Site.</p>	<p>End October 2021 – The complexities of water movement on the Levels and obtaining relevant information has led to delays on producing a definitive map. This requires agreement with Natural England</p>
<p><b>A review of the types of development that will require a Habitats Regulations Assessment:</b> Within the “area of risk”, to review and develop as necessary the interim list of types of activities / types of development management activities that may add to phosphate loading and require a Habitat Regulations Assessment to assess potential significant effects on the Somerset Levels and Moors designations. Recommendations for thresholds or criteria for some types of development, for example commercial/industrial development. Revisions to the interim list has to be evidenced, involve stakeholders, and be fit for purpose.</p>	<p>End October 2021</p>
<p><b>Methodology/Calculator:</b> As Royal HaskoningDHV developed the phosphate budget calculator for use by the Local Planning Authorities in February 2021, they will continue to adapt the calculator as further amendments arise from changes in Natural England’s guidance and when appropriate scientific research is made available.</p>	<p>Updates due w/c 18<sup>th</sup> October 2021 A number of updates have been dependent on agreement with Natural England. An appeal on a judicial review in Hampshire has hindered proceedings.</p>
<p><b>Mitigation/Solutions:</b> With the input of key stakeholders and be fit for purpose, review and update as necessary the agreed list of interim avoidance and mitigation options. This will include a mitigation hierarchy for managing phosphate concentrations.</p>	<p>w/c 8<sup>th</sup> November Stakeholder events were held during August 2021 to provide input into</p>

<sup>1</sup> <https://modgov.southsomerset.gov.uk/documents/g2854/Public%20reports%20pack%2004th-Feb-2021%2009.30%20District%20Executive.pdf?T=10>

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<p>Solutions will be categorised and aligned to their achievement over various timescales. These will be costed, relate to the need for phosphate solutions to reflect needs of each river sub-catchment and demonstrate that they comply with other permitting legislation implemented by Natural England and the Environment Agency. Consideration will be given to dual-use mitigation schemes that take account anticipated changes in legislation e.g. The Environment Bill (2020) 10% biodiversity net gain requirement.</p> <p>Solutions will include:</p> <ul style="list-style-type: none"> <li>• Catchment-based solutions (e.g. agricultural management, offsetting schemes/accredited projects);</li> <li>• Nature-based solution (e.g. habitat creation);</li> <li>• Asset-based solutions (e.g. improvements to water recycling centres).</li> </ul> <p>The details of the solutions require consideration from key stakeholders such as the Environment Agency and Natural England. A meeting with these parties is scheduled for the w/c 25<sup>th</sup> of October. Following this meeting, the final solutions will be drafted.</p>	<p>proposed mitigation solutions.</p> <p>Feedback from developers, landowners, technical stakeholders, and the local planning authorities (LPAs) has been considered and taken into account.</p> <p>Further potential solutions identified to take forward in discussion with the LPAs.</p>
<p><b>Model Policy:</b> Develop a model nutrient neutrality policy for Local Plans that can be agreed by all partners including Environment Agency and Natural England.</p> <p>Scope: should provide the technical work that underpins an agreed method and tariffs for administrating, implementing, managing and monitoring phosphate neutral development.</p>	<p>Initial draft policy scheduled to be completed by middle of November 2021.</p> <p>Delayed due to taking forward other elements of the strategy.</p>
<p><b>Supplementary Planning Document (SPD)</b> Developing a SPD to build upon policies outlined in the Local Plan and provide more detailed guidance to assist applicants in making successful applications.</p> <p>Scope: an agreed method for administrating, implementing, managing and monitoring to ensure phosphate neutral development, that can be adopted by all the LPA's which is easy to read and focused on development management and guidance for developers.</p>	<p>Initial draft currently scheduled to be completed by End November 2021</p> <p>Delayed due to taking forward other elements of the strategy.</p>

The work on the strategy is currently on schedule to deliver the agreed objectives by autumn 2021.

The SPD will be developed as a draft version that will be progressed through the democratic decision-making process for each Local Planning Authority to approve the document for the purpose of consultation (a minimum of 4 weeks) and subsequent adoption, as prescribed by Local Planning regulations<sup>2</sup>.

<sup>2</sup> The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)